

(81) of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter Thirty-four (34) of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth (36th) Legislature, approved July 25, 1919, as amended by Chapter One Hundred Nineteen (119) of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh (37th) Legislature, approved March 31, 1921, extending the term of said commission to the last Saturday in June, 1923, and providing for the appointment of judges for said extended term; providing for the extension of the term of said commission from the last Saturday in June, 1923, until the last Saturday in June, 1925, for the appointment of judges for said extended term; providing for the qualifications thereof and fixing the same, and providing and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice-Chairman.

Committee Room,

Austin, Texas, February 7, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 1, A bill to be entitled "An Act appropriating three million five hundred thousand dollars (\$3,500,000) out of the State Treasury to aid and promote all the public schools of this State for the scholastic year beginning September 1, 1922, and ending August 31, 1923, the same to be distributed as the available school fund is now distributed, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice-Chairman.

Committee Room,

Austin, Texas, February 7, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 70, A bill to be entitled "An Act to amend Article 2178, Chapter

24, Title 37, of the Revised Civil Statutes of Texas, making attorney's fees recoverable in certain cases, by adding thereto a provision making the attorney's fees recoverable in certain suits for loss or damage to express shipments, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice-Chairman.

Committee Room,

Austin, Texas, February 7, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 309, A bill to be entitled "An Act constituting Bexar county the Thirty-seventh, Forty-fifth, Fifty-seventh, Seventy-third, and Ninety-fourth Judicial Districts; providing for the present judges of the Thirty-seventh, Forty-fifth, Fifty-seventh, and Seventy-third Judicial Districts to continue to hold their offices for the respective terms for which they were elected; the appointment of a suitable person by the Governor as judge of the Ninety-fourth Judicial District to hold until the next general election; prescribing the jurisdiction of said courts and providing for the election of judges thereof, and for the district attorney of the Thirty-seventh Judicial District to be the district attorney of all of said courts; and providing the terms of said courts, and providing for the empaneling of grand juries in the Thirty-seventh, Forty-fifth, and Ninety-fourth Judicial Districts, and providing that the said grand juries shall return all bills of indictment to the court in which said grand jury was empaneled; and providing that said Thirty-seventh, Forty-fifth, and Ninety-fourth Judicial District courts shall give preference to the trial of criminal cases; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.
PRICE, Vice-Chairman.

TWENTY-FIFTH DAY.

(Saturday, February 10, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Satterwhite.

The roll was called and the following members were present:

Abney.	Loftin.
Arnold.	Looney.
Atkinson.	McBride.
Baker of Milam.	McDaniel.
Baker of Orange.	McDonald.
Baldwin.	McFarlane.
Barker.	McNatt.
Barrett.	Martin.
Beasley.	Mathes.
Bell.	Maxwell.
Blount.	Melson.
Bobbitt.	Merriman.
Bonham.	Merritt.
Brady.	Miller.
Bryant.	Montgomery.
Burmeister.	Moore.
Cable.	Morgan
Carpenter	of Liberty.
of Matagorda.	Morgan
Carson.	of Robertson.
Carter of Coke.	Patman.
Chitwood.	Patterson.
Coffee.	Perdue.
Collins.	Pinkston.
Covey.	Pool.
Cowen.	Pope.
Crawford.	Potter.
Culp.	Price.
Davis.	Quaid.
DeBerry.	Quinn.
Dodd.	Rice.
Downs.	Robinson.
Driggers.	Rountree.
Duffey.	Russell of Trinity.
Dunlap.	Sackett.
Durham.	Sanford.
Faubion.	Satterwhite.
Fields.	Simpson.
Frnka.	Smith.
Fugler.	Sparkman.
Gipson.	Stevens.
Green.	Stewart
Greer.	of Edwards.
Hardin of Erath.	Stewart of Jasper.
Hardin	Stewart of Reeves.
of Kaufman.	Storey.
Harrington.	Stroder.
Harris.	Sweet.
Henderson	Teer.
of Marion.	Thompson.
Hendricks.	Thrasher.
Howeth.	Vaughan.
Jacks.	Wallace.
Jennings.	Wells.
Johnson.	Westbrook.
Lackey.	Wessels.
Laird.	Wilmons.
Lamb.	Winfree.
Lane.	Young.
LeSturgeon.	

Absent.

Lusk. Shearer.

Absent—Excused.

Mr. Speaker. Amsler.

Avis.	Kemble.
Bird.	LeMaster.
Carpenter	Lewis.
of Dallas.	McKean.
Carter of Hays.	Pate.
Davenport.	Purl.
Dielmann.	Rogers.
Dinkle.	Rowland.
Dunn.	Russell
Edwards.	of Callahan.
Finlay.	Shires.
Henderson	Stell.
of McLennan.	Stiernberg.
Houston.	Strickland.
Hughes.	Turner.
Hull.	Williamson.
Irwin.	Wilson.
Jones.	

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence, on account of important business:

Mr. Davenport, for today, on motion of Mr. LeSturgeon.

Mr. Irwin, for today, on motion of Mrs. Wilmons.

Mr. Purl, for today, on motion of Mr. Collins.

Mr. Bird, for today, on motion of Mr. Lamb.

Mr. Amsler, for today, on motion of Mr. Merriman.

Mr. Jones, for today, on motion of Mr. Durham.

Mr. Lewis, for today, on motion of Mr. Culp.

Mr. Houston, for today, on motion of Mr. Pope.

Mr. Kemble, for today, on motion of Mr. Potter.

Mr. Hull, for today, on motion of Mr. Jacks.

Mr. Turner, for today, on motion of Mr. Arnold.

Mr. Carter of Hays, for today, on motion of Mr. Melson.

Mr. Dielmann, for today, on motion of Mr. Young.

Mr. Williamson, for today, on motion of Mr. Burmeister.

Mr. Avis, for today, on motion of Mr. Bonham.

Mr. Henderson of McLennan, for today, on motion of Mr. Beasley.

Mr. Hughes, for today and Monday, on motion of Mr. Hardin of Erath.

Mr. Russell of Callahan, for today, on motion of Mr. Green.

Mr. Wilson, for today, on motion of Mr. Patterson.

Mr. Edwards, for today, on motion of Mr. Harris.

Mr. Dunn, for today, on motion of Mr. Moore.

The following members were granted leaves of absence on account of sickness:

Mr. Carpenter of Dallas, for today, on motion of Mrs. Wilmans.

Mr. Stiernberg, for today, on motion of Mr. McFarlane.

Mr. Shires, for Thursday, Friday and today, on motion of Mr. Simpson.

Mr. LeMaster, indefinitely, on motion of Mr. Patterson.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Cable:

H. B. No. 491, A bill to be entitled, "An Act creating and establishing the Spanish Fort Independent School District in Montague county, Texas; defining its boundaries; providing for a board of trustees in said district; continuing in office the board of trustees as heretofore elected in said district until the expiration of their respective terms of office; vesting title in said board of trustees to all school property in said district; conferring upon said district and its board of trustees all of the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; providing for a seal, and for the selection of a secretary, treasurer and assessor and collector of taxes; for a board of equalization, and prescribing its duties, etc., and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Burmeister:

H. B. No. 492, A bill to be entitled "An Act to amend Section 9a, Chapter 79, Acts of the Second Called Session, of the Thirty-sixth Legislature, approved July 31, 1919, so as to include all lands owned or acquired by the State, either by gift, grant, donation or purchase, and hereafter to be so acquired, except State cemeteries and parks."

Referred to Committee on State Affairs.

By Mr. Burmeister, Mr. Bonham, Mr. Bobbitt, Mr. Beasley and Mr. Quaid:

H. B. No. 493, A bill to be entitled "An Act extending for a period of five years from the passage of this act all permits to prospect for oil and gas heretofore issued on river beds and channels, fresh water lakes and islands therein, and on university lands, asylum lands and public school lands, surveyed or unsurveyed, which are unsold at the time this act goes into effect; and providing that all permits hereafter issued thereon shall be for a period of five years; and providing the conditions of said permits, which are that such permits are extended on the condition that the owner shall pay to the State annually in advance, during the life of the permit, ten cents per acre, and that the owner of the permit shall drill at the discretion of the Commissioner of the General Land Office, such offset well or wells as may be necessary to protect the State's interest in the area included in the permit, and providing for an emergency."

Referred to Committee on Oil, Gas and Mining.

COMMUNICATION FROM SPEAKER SEAGLER.

Austin, Texas, February 9, 1923.

Mr. Carl L. Phinney, Chief Clerk, House of Representatives, Austin, Texas.

Sir: I contemplate being away from Austin tomorrow.

I hereby designate Hon. Lee Satterwhite to preside over the House in my place and stead on tomorrow and until I return to Austin.

In case of his failure or inability to serve, I hereby designate Hon. Lee Rountree to so serve.

In the event of the failure or inability of the latter to serve, I hereby designate Hon. Sam Lackey to so serve.

Yours very truly,

R. E. SEAGLER,

Speaker.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Bonham, Senate bills Nos. 127 and 130 were ordered not printed.

On motion of Mr. Johnson, House bill No. 445 was ordered not printed.

On motion of Mr. Stewart of Edwards, House bill No. 476 was ordered not printed.

BILLS ORDERED PRINTED.

Mr. Patman moved that House bill No. 333, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded and the motion prevailed by the following vote:

Yeas—78.

Abney.	Lane.
Arnold.	Looney.
Atkinson.	McBride.
Baker of Milam.	McDonald.
Baker of Orange.	Martin.
Barker.	Melson.
Barrett.	Merriman.
Beasley.	Merritt.
Bell.	Miller.
Blount.	Montgomery.
Bobbitt.	Moore.
Bonham.	Morgan
Carpenter	of Liberty.
of Matagorda.	Morgan
Chitwood.	of Robertson.
Coffee.	Patman.
Collins.	Perdue.
Covey.	Pinkston.
Cowen.	Pope.
Crawford.	Potter.
Davis.	Price.
DeBerry.	Quinn.
Dodd.	Rice.
Downs.	Robinson.
Driggers.	Rountree.
Duffey.	Russell of Trinity.
Durham.	Sanford.
Frnka.	Simpson.
Fugler.	Sparkman.
Green.	Stevens.
Greer.	Stewart of Jasper.
Hardin of Erath.	Storey.
Harrington.	Thompson.
Harris.	Thrasher.
Henderson	Vaughan.
of Marion.	Wallace.
Hendricks.	Wells.
Jacks.	Westbrook.
Jennings.	Wessels.
Laird.	Winfree.
Lamb.	Young.

Nays—26.

Baldwin.	Hardin
Bryant.	of Kaufman.
Burmeister.	Howeth.
Cable.	Lackey.
Carson.	LeSturgeon.
Carter of Coke.	Loftin.
Dunlap.	McDaniel.
Fields.	McFarlane.
Gipson.	McNatt.

Mathes.
Maxwell.
Patterson.
Pool.
Quaid.

Sackett,
Stewart
of Edwards.
Stewart of Reeves.
Stroder.

Absent.

Brady.
Culp.
Faubion.
Johnson.
Lusk.
Satterwhite.

Shearer.
Smith.
Sweet.
Teer.
Wilmans.

Absent—Excused.

Mr. Speaker.
Amsler.
Avis.
Bird.
Carpenter
of Dallas.
Carter of Hays.
Davenport.
Dielmann.
Dinkle.
Dunn.
Edwards.
Finlay.
Henderson
of McLennan.
Houston.
Hughes.
Hull.
Irwin.

Jones.
Kemble.
LeMaster.
Lewis.
McKean.
Pate.
Purl.
Rogers.
Rowland.
Russell
of Callahan.
Shires.
Stell.
Stiernberg.
Strickland.
Turner.
Williamson.
Wilson.

Mr. Baker of Milam moved that House bill No. 82, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded and the motion prevailed by the following vote:

Yeas—63.

Abney.	Duffey.
Arnold.	Frnka.
Atkinson.	Fugler.
Baker of Milam.	Greer.
Baker of Orange.	Harrington.
Barker.	Harris.
Barrett.	Jacks.
Bell.	Jennings.
Bobbitt.	Laird.
Bonham.	Lane.
Brady.	Looney.
Cable.	McBride.
Carpenter	McDonald.
of Matagorda.	Melson.
Coffee.	Merriman.
Cowen.	Merritt.
Crawford.	Montgomery.
Davis.	Moore.
DeBerry.	Morgan
Dodd.	of Liberty.
Downs.	Patman.
Driggers.	Patterson.

Perdue.	Stewart
Pope.	of Edwards.
Potter.	Stewart of Jasper.
Price.	Thompson.
Quinn.	Vaughan.
Rice.	Wells.
Robinson.	Wessels.
Rountree.	Wilmans.
Russell of Trinity.	Winfree.
Sanford.	Young.
Simpson.	

Nays—41.

Baldwin.	Loftin.
Beasley.	McDaniel.
Blount.	McFarlane.
Bryant.	McNatt.
Burmeister.	Martin.
Carson.	Mathes.
Carter of Coke.	Maxwell.
Chitwood.	Morgan
Collins.	of Robertson.
Covey.	Pool.
Faubion.	Quaid.
Gipson.	Sackett.
Green.	Satterwhite.
Hardin of Erath.	Sparkman.
Hardin	Stevens.
of Kaufman.	Stewart of Reeves.
Henderson	Storey.
of Marion.	Stroder.
Hendricks.	Sweet.
Howeth.	Teer.
Lackey.	Thrasher.
Lamb.	Westbrook.
LeStourgeon.	

Present—Not Voting.

Dunlap.	Durham.
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Absent.

Culp.	Pinkston.
Fields.	Shearer.
Johnson.	Smith.
Lusk.	Wallace.
Miller.	

Absent—Excused.

Mr. Speaker.	Hull.
Amsler.	Irwin.
Avis.	Jones.
Bird.	Kemble.
Carpenter	LeMaster.
of Dallas.	Lewis.
Carter of Hays.	McKean.
Davenport.	Pate.
Dielmann.	Purl.
Dinkle.	Rogers.
Dunn.	Rowland.
Edwards.	Russell
Finlay.	of Callahan.
Henderson	Shires.
of McLennan.	Stell.
Houston.	Stiernberg.
Hughes.	Strickland.

Turner.	Wilson.
Williamson.	

HOUSE BILL NO. 347 ON
ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 347, A bill to be entitled "An Act to amend Articles 3086 and 3095 of Chapter 10, Title 49 of the Revised Statutes of Texas, relating to primary elections; to prescribe the form of the ballot to be used at such elections, the manner of counting the votes and declaring the result of such election, and to repeal Articles 3091 and 3092 of said title and chapter."

The bill having heretofore been read second time, with amendment by Mr. Hendricks, pending.

Mr. Greer moved that further consideration of the bill be postponed until 2 o'clock p. m. next Tuesday.

The motion was lost.

Question next recurring on the amendment by Mr. Hendricks, it was adopted.

Mr. Baker of Milam moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 347, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and the following members were announced absent without leave:

Messrs. Bobbitt, Chitwood, Crawford, Faubion, Hardin of Erath, Lusk, Miller, Pool, Shearer, Smith, Wessels.

A quorum was announced present.

Mr. Quaid moved that all absentees within the city of Austin be brought in.

The motion was lost.

Mr. Greer moved to postpone further consideration of the bill until 2:30 o'clock p. m. today.

On motion of Mr. Quaid the motion to postpone was tabled.

Mr. Hendricks offered the following amendment to the bill:

Amend House bill No. 347, Section 4, page 3, line 4, by striking out the word "highest" in said line and inserting in lieu thereof the word "lowest."

Mr. Stewart of Reeves moved the previous question on the pending amendment and amendment by Mr. Cable, filed, and the bill, and the motion was not seconded.

Question then recurring on the amendment by Mr. Hendricks, it was adopted.

Mr. Frnka offered the following amendment:

Amend House bill No. 347, page 2, lines 23 and 24 by striking out the following: "Each voter shall vote for only one candidate for each such nomination."

Signed—Frnka, Cable.

The amendment was adopted.

Mr. Bonham offered the following amendment to the bill:

Amend House bill No. 347, page 2, lines 10 and 11, by striking out the words "to be nominated," and inserting the word "running."

The amendment was adopted.

Mr. Brady offered the following amendment to the bill:

Amend the bill by striking out all after the period in line 32, page 2, down to and including line 35, page 2.

The amendment was lost.

Mr. Simpson offered the following amendment to the bill:

Amend House bill 347 by striking out the enacting clause.

Mr. Simpson moved the previous question on the amendment and the bill, and the main question was ordered.

Mr. Greer moved to reconsider the vote by which the previous question was ordered, and the motion to reconsider was lost.

Question then recurring on the amendment by Mr. Simpson, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—49.

Abney.	Hardin
Atkinson.	of Kaufman.
Baker of Orange.	Harrington.
Barrett.	Henderson
Bobbitt.	of Marion.
Brady.	Howeth.
Burmeister.	Jacks.
Carson.	Jennings.
Carter of Coke.	Lamb.
Collins.	Looney.
Covey.	McBride.
Cowen.	McDaniel.
Driggers.	McFarlane.
Fugler.	McNatt.
Greer.	Merriman.

Morgan	Simpson.
of Liberty.	Smith.
Morgan	Stevens.
of Robertson.	Stewart
Patterson.	of Edwards.
Pinkston.	Storey.
Pool.	Stroder.
Potter.	Sweet.
Quaid.	Thrasher.
Rice.	Wells.
Russell of Trinity.	Winfree.
Sanford.	Young.

Nays—55.

Arnold.	Laird.
Baker of Milam.	Lane.
Baldwin.	Loftin.
Barker.	McDonald.
Beasley.	Martin.
Bell.	Mathes.
Bonham.	Maxwell.
Bryant.	Melson.
Cable.	Merritt.
Carpenter	Montgomery.
of Matagorda.	Moore.
Chitwood.	Patman.
Coffee.	Perdue.
Crawford.	Pope.
Culp.	Price.
Davis.	Quinn.
DeBerry.	Robinson.
Dodd.	Rountree.
Downs.	Sackett.
Duffey.	Satterwhite.
Durham.	Sparkman.
Fields.	Stewart of Jasper.
Frnka.	Stewart of Reeves.
Hardin of Erath.	Teer.
Harris.	Thompson.
Hendricks.	Wallace.
Johnson.	Westbrook.
Lackey.	Wilmans.

Present—Not Voting.

Blount.	LeSturgeon.
Dunlap.	Vaughan.

Absent.

Gipson.	Miller.
Green.	Shearer.
Lusk.	

Absent—Excused.

Mr. Speaker.	Edwards.
Amsler.	Faubion.
Avis.	Finlay.
Bird.	Henderson
Carpenter	of McLennan.
of Dallas.	Houston.
Carter of Hays.	Hughes.
Davenport.	Hull.
Dielmann.	Irwin.
Dinkle.	Jones.
Dunn.	Kemble.

LeMaster.	Shires.
Lewis.	Stell.
McKean.	Stiernberg.
Pate.	Strickland.
Purl.	Turner.
Rogers.	Wessels.
Rowland.	Williamson.
Russell	Wilson.
of Callahan.	

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 347 failed to pass to engrossment by the following vote:

Yeas—45.

Baker of Milam.	Lane.
Baldwin.	Loftin.
Barker.	McDonald.
Bell.	Martin.
Blount.	Mathes.
Bonham.	Maxwell.
Bryant.	Melson.
Cable.	Montgomery.
Carpenter	Patman.
of Matagorda.	Perdue.
Chitwood.	Pope.
Coffee.	Price.
Davis.	Quinn.
DeBerry.	Robinson.
Dodd.	Rountree.
Downs.	Sackett.
Duffey.	Satterwhite.
Durham.	Sparkman.
Fields.	Stewart of Jasper.
Frnka.	Stewart of Reeves.
Harris.	Teer.
Hendricks.	Westbrook.
Laird.	Wilmons.

Nays—61.

Abney.	Henderson
Arnold.	of Marion.
Atkinson.	Howeth.
Baker of Orange.	Jacks.
Barrett.	Jennings.
Beasley.	Johnson.
Bobbitt.	Lackey.
Brady.	Lamb.
Burmeister.	LeSturgeon.
Carson.	Looney.
Carter of Coke.	McBride.
Collins.	McDaniel.
Covey.	McFarlane.
Cowen.	McNatt.
Crawford.	Merriman.
Culp.	Merritt.
Driggers.	Moore.
Fugler.	Morgan
Greer.	of Liberty.
Hardin of Erath	Morgan
Hardin	of Robertson.
of Kaufman.	Patterson.
Harrington.	Pinkston.

Pool.	Storey.
Potter.	Stroder.
Quaid.	Sweet.
Rice.	Thompson.
Russell of Trinity.	Thrasher.
Sanford.	Vaughan.
Simpson.	Wallace.
Stevens.	Wells.
Stewart	Winfree.
of Edwards.	Young.

Present—Not Voting.

Dunlap.

Absent.

Gipson.	Miller.
Green.	Shearer.
Lusk.	Smith.

Absent—Excused.

Mr. Speaker.	Jones.
Amsler.	Kemble.
Avis.	LeMaster.
Bird.	Lewis.
Carpenter	McKean.
of Dallas.	Pate.
Carter of Hays.	Purl.
Davenport.	Rogers.
Dielmann.	Rowland.
Dinkle.	Russell
Dunn.	of Callahan.
Edwards.	Shires.
Faubion.	Stell.
Finlay.	Stiernberg.
Henderson	Strickland.
of McLennan.	Turner.
Houston.	Wessels.
Hughes.	Williamson.
Hull.	Wilson.
Irwin.	

MOTION FOR SPECIAL ORDER.

Mr. Rountree moved that House joint resolution No. 9 be set as a special order for 11 o'clock a. m. next Tuesday.

Question—Shall the motion prevail?

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 229, A bill to be entitled "An Act to repeal Chapter 1, of Title 44, of the Revised Civil Statutes of the State of Texas, 1911, and all amendments thereto, including Chapter 145, Acts of the Thirty-sixth Legislature, Regular Session, and Chapter 14, of

the General Laws of the Thirty-seventh Legislature, Regular Session, and Chapter 3, Acts of the First Called Session of the Thirty-seventh Legislature, providing for the manner in which State funds shall be kept and deposited, defining the State Depository Board and its powers, and what banks may become State depositories, and the manner and means of selecting, and for the qualification of such State depositories, providing for the distribution of such State funds among such depositories, providing for the extension of time of payment of funds on deposit in State depositories during financial or industrial depressions; and to provide the manner in which State funds shall be kept and deposited; to define the State Depository Board and its powers; creating the Texas Rate Making Board and defining its powers; and what banks may become State depositories and the manner and means of selecting, and for the qualification of such State depositories; providing for the distribution of such State funds among such depositories, providing for the extension of time of payment in general financial or industrial depressions; providing that the unconstitutionality of any part shall not affect the remaining parts of this act; repealing all laws in conflict, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

ADJOURNMENT.

Mr. Pope moved that the House adjourn until 10 o'clock a. m. next Monday.

Mr. Quinn moved that the House recess to 2 o'clock p. m. today.

Question first recurring on the motion of Mr. Pope, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—64.

Abney.	Cable.
Arnold.	Carson.
Atkinson.	Chitwood.
Baldwin.	Coffee.
Barker.	Cowen.
Barrett.	Crawford.
Beasley.	Davis.
Bell.	Driggers.
Blount.	Duffey.
Bobbitt.	Dunlap.
Bonham.	Durham.
Burmeister.	Frnka.

Green.
Greer.
Hardin
of Kaufman.
Harrington.
Harris.
Henderson
of Marion.
Howeth.
Lackey.
Laird.
LeSturgeon.
Looney.
McBride.
McDaniel.
McFarlane.
McNatt.
Melson.
Merriman.
Merritt.
Moore.
Morgan
of Liberty.

Morgan
of Robertson.
Pinkston.
Pool.
Pope.
Potter.
Price.
Robinson.
Russell of Trinity.
Sackett.
Sanford.
Simpson.
Smith.
Stevens.
Stewart
of Edwards.
Storey.
Sweet.
Thompson.
Vaughan.
Wallace.
Westbrook.

Nays—42.

Baker of Milam.
Baker of Orange.
Brady.
Carpenter
of Matagorda.
Carter of Coke.
Covey.
Culp.
DeBerry.
Dodd.
Downs.
Fields.
Fugler.
Gipson.
Hardin of Erath.
Hendricks.
Jacks.
Jennings.
Johnson.
Lamb.
Lane.
McDonald.

Martin.
Mathes.
Maxwell.
Montgomery.
Patman.
Patterson.
Perdue.
Quaid.
Quinn.
Rice.
Rountree.
Satterwhite.
Sparkman.
Stewart of Jasper.
Stewart of Reeves.
Stroder.
Thrasher.
Wells.
Wilmons.
Winfree.
Young.

Absent.

Bryant.
Carter of Hays.
Collins.
Loftin.

Lusk.
Miller.
Shearer.
Teer.

Absent—Excused.

Mr. Speaker.
Amsler.
Avis.
Bird.
Carpenter
of Dallas.
Davenport.
Dielmann.
Dinkle.
Dunn.

Edwards.
Faubion.
Finlay.
Henderson
of McLennan.
Houston.
Hughes.
Hull.
Irwin.
Jones.

Kemble.	Shires.
LeMaster.	Stell.
Lewis.	Stiernberg.
McKean.	Strickland.
Pate.	Turner.
Purl.	Wessels.
Rogers.	Williamson.
Rowland.	Wilson.
Russell	
of Callahan.	

The House, accordingly, at 12 o'clock m., adjourned until 10 o'clock a. m. next Monday.

TWENTY-SIXTH DAY.

(Monday, February 12, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Fields.
Arnold.	Finlay.
Atkinson.	Frnka.
Baker of Milam.	Fugler.
Baldwin.	Gipson.
Barker.	Green.
Barrett.	Greer.
Beasley.	Hardin of Erath.
Bell.	Harris.
Blount.	Henderson
Bonham.	of Marion.
Brady.	Henderson
Bryant.	of McLennan.
Burmeister.	Hendricks.
Cable.	Howeth.
Carpenter	Irwin.
of Dallas.	Jacks.
Carpenter	Jennings.
of Matagorda.	Johnson.
Carson.	Jones.
Carter of Coke.	Lackey.
Carter of Hays.	Laird.
Chitwood.	Lane.
Coffee.	LeMaster.
Covey.	Lewis.
Cowen.	Loftin.
Crawford.	Looney.
Culp.	McBride.
Davis.	McDonald.
DeBerry.	McFarlane.
Dinkle.	McNatt.
Dodd.	Martin.
Downs.	Mathes.
Driggers.	Maxwell.
Duffey.	Melson.
Dunlap.	Merriman.
Dunn.	Merritt.
Durham.	Miller.
Edwards.	Montgomery.
Faubion.	Moore.

Morgan	Shearer.
of Liberty.	Shires.
Morgan	Simpson.
of Robertson.	Smith.
Pate.	Sparkman.
Patman.	Stevens.
Patterson.	Stewart
Perdue.	of Edwards.
Pinkston.	Stewart of Jasper.
Pool.	Storey.
Pope.	Sweet.
Potter.	Teer.
Price.	Thompson.
Purl.	Thrasher.
Quaid.	Vaughan.
Quinn.	Wallace.
Rice.	Wells.
Robinson.	Westbrook.
Rogers.	Wessels.
Rountree.	Williamson.
Russell of Trinity.	Wilmans.
Sackett.	Wilson.
Sanford.	Winfree.
Satterwhite.	Young.

Absent.

Bird.	Strickland.
Collins.	Turner.
Lusk.	

Absent—Excused.

Amsler.	Kemble.
Avis.	Lamb.
Baker of Orange.	LeSturgeon.
Bobbitt.	McDaniel.
Davenport.	McKean.
Dielmann.	Rowland.
Hardin	Russell
of Kaufman.	of Callahan.
Harrington.	Stell.
Houston.	Stewart of Reeves.
Hughes.	Stiernberg.
Hull.	Stroder.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Finlay, for today, on motion of Mr. Barker.

Mr. Stewart of Reeves, for today, on motion of Mr. Frnka.

Mr. Russell of Callahan, for today, on motion of Mr. Green.

Mr. Hardin of Kaufman, for today, on motion of Mr. Durham.

Mr. Hughes, for today, on motion of Mr. Henderson of McLennan.

Mr. Dielmann, for today, on motion of Mr. Young.